

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

ROMERO ANDERSON, 06-A-0077,

Plaintiff,

v.

**DECISION AND ORDER**  
14-CV-192-A

ANDREW S. PEDALTY, S. Sgt.,  
ANTHONY SPAHALSKI, Corr/Off,  
SEAN F. DAVIS, Corr/Off,

Defendants.

---

This case was referred to Magistrate Judge Michael J. Roemer pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. On December 16, 2016, Magistrate Judge Roemer filed a Report and Recommendation (Dkt. No. 23), recommending that defendants' motion for summary judgment pursuant to Fed. R. Civ. P. 56 (Dkt. No. 22) be granted, and that plaintiff's Complaint be dismissed.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and no objections having been timely filed, it is hereby

**ORDERED**, pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Roemer's Report and Recommendation, defendants' motion for summary judgment is granted, and plaintiff's Complaint is dismissed

The Clerk of Court shall enter Judgment in favor the defendants and take all steps necessary to close the case.

**IT IS SO ORDERED.**

*Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: January 27, 2017